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U.S. DISTRICT COURT, E.D.N.Y.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

★ OCT 3 2006 ★

IN RE:

HOLOCAUST VICTIM ASSETS
LITIGATION

This document relates to: All Cases

BROOKLYN OFFICE

Case No.CV 96-4849 (ERK)(MDG)
(Consolidated with CV 96-5161 and
CV 97-461)

MEMORANDUM & ORDER

Korman, Chief Judge:

I am in receipt of the 15 September, 2006 Second Appeals Report of the International Organization for Migration (IOM) for the Second Group of Slave Labour Class I appeals recommended by the IOM Appeals Body in In Re Holocaust Victim Assets Litigation (Swiss Banks) ("Second IOM Appeals Report"). The Second IOM Appeals Report includes seven (7) appeals that were recommended for payment by the IOM Appeals Body because, on appeal, it was determined that the appellants plausibly demonstrated that they were members of a Swiss Banks target group and that they performed forced labour for the Nazi Regime. Two hundred sixty three (263) appeals are being recommended for rejection because the appellants either did not plausibly demonstrate that they were members of a Swiss Banks target group or that they were forced to perform labour for the Nazi Regime. The Second IOM Appeals Report advises that in accordance with the Distribution Plan, my Memorandum & Order dated June 28, 2001, and my Memorandum & Order dated September 25, 2002, IOM will be prepared, on or about September 30, 2006 to begin to transfer payments to:

seven (7) members of Slave Labour Class I

All seven (7) individuals described in the First IOM Appeals Report as having filed timely appeals that are being recommended for payment, based on the information that was provided in their appeals, satisfy the eligibility criteria as stated in the Swiss Banks Settlement Agreement, the Distribution Plan and the HVAP

Rules as adopted by the Court in its implementing orders. IOM has filed with the Court reports summarizing, for each appellant, the basis for the recommendation of payment and the determination of the IOM Appeals Body. The names and addresses of these individuals have been filed with the Court under seal in an appendix accompanying the First IOM Appeals Report.

Accordingly, in anticipation of the forthcoming distribution of:

USD 1,450 to each of the 7 individuals under Slave Labour Class I:

who comprise this second group of appellants it is hereby

ORDERED that the signatories to the Settlement Fund are hereby directed to transfer USD 10,150 from the Settlement Fund to the IOM-HVAP Citibank Geneva Account to meet the projected distribution as described in the Second IOM Appeals Report and it is also

ORDERED that the original decisions concerning the 263 appeals that are being recommended for rejection are unmodified.

I will issue additional orders transferring further sums of money from the Settlement Fund as applications are approved.

SO ORDERED:

s/Edward R. Korman

Edward R. Korman
United States District Judge

Dated: Brooklyn, New York
September 28, 2006